/ CF 1002 (5)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) NO. 108 OF 2007

PETITIONER : LOKESH GARG, S/o Shri Madan Lal Garg, Age about 37 Years, R/o Garg Traders, Bhatagaon Chowk, Ring Road No. 1, Raipur, Distt: Raipur (C.G.)

P.F. No. 44312
Presented by Shri Yogesh Pandey
Dated 12/1/07

VERSUS

RESPONDENTS :

1. State Of Chhattisgarh, Through its Secretary (Nodal Officer), Department Of PWD, (National Highway & Bridge Zone), D. K. S. Bhavan, Raipur (C.G.)

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12/1/07
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2. Executive Engineer, PWD Department, National Highway Division, Division No. 1, Penson Bada, Raipur (C.G.)

3. Sub Divisional Officer, National Highway Authority, Raipur (C.G.).

12/1/07

4. Project Director, National Highway Authority Of India, (Ministry of Shipping, Road Transport & Highways), House No. 40. Sector-2, Geetanjali Nagar, Raipur (C.G.)

5. General Manager, B.O.T.-1, All India National Highway Tribunal, Head-Office, New Delhi.

6. Project Manager, M/s Raipur Express Ways Ltd. First Floor, Jay Prakash Bhavan, Telibandha Chowk, Raipur (C.G.)

7. Team Leader, M/s Recardet S.A. M/s Feedback Turnki Engineers, Pvt. Ltd. Bhavan No. R-11, Avanti Vihar, Raipur (C.G.)

(6)

WRIT PETITION U/A 226 OF THE CONSITITUTION OF INDIA FOR ISSUANCE OF A WRIT OF NATURE OF CERTIORARI.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(41)

मामला क्रमांक ..WP(C).108/07. **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	25.1.2007 Shri Yogesh Pandey, Advocate for the petitioner. Shri Vinay Pandey, P.L for the State. Heard. By this petition the petitioner has questioned the impugned notice dated 7.12.2006 of Annexure P-10 issued by respondent No.2 whereby the petitioner has been called upon to remove his unauthorized construction over the National Highway No.006 within 7 days. The petitioner has been further directed to remain present on 19.12.2006 at 3.00 p.m. in the office of respondent No.2 for hearing. Learned counsel for the petitioner submits that after receiving the said notice the petitioner submitted his reply on 19.12.2006, however, the same has not been considered and respondents are likely to dispossess the petitioner from the premises. He further submits that the petition may be disposed of with a direction to the concerned authorities to consider the reply of Annexure P-11 in accordance with law and till decision of the ~~notice~~ representation, the petitioner should not be dispossessed in pursuance of notice of Annexure P-10 dated 7.12.2006, which is not opposed by the counsel for the State.	

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(42)

मामला क्रमांक ...W.P.(C)...108/07 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the above submission made by counsel for the parties, this petition is disposed of with a direction to respondents that they shall consider the reply of Annexure P-11 on its own merit after affording an opportunity of hearing to the petitioner. It is further directed that till appropriate order is passed on the reply of Annexure P-11, the petitioner shall not be dispossessed from the premises. The petition is accordingly, disposed of. Consequently, M.W.P. No.213/07 also stands disposed of. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.

2/2/09